

## Department of Energy

915.502

its provisions strictly complied with. Upon completion of the evaluation, it is agreed all copies of the proposal and abstracts, if any, shall be returned to the DOE office which initially furnished the proposal for evaluation. Unless authorized by the Contracting Officer, I agree that I shall not contact the originator of the proposal concerning any aspect of its elements.

Recipient: \_\_\_\_\_

Date: \_\_\_\_\_

(End of agreement)

(g) The submitter of any proposal shall be provided notice adequate to afford an opportunity to take appropriate action before release of any information (data) contained therein pursuant to a request under the Freedom of Information Act (5 U.S.C. 552); and, time permitting, the submitter should be consulted to obtain assistance in determining the eligibility of the information (data) in question as an exemption under the Act. (See also Subpart 24.2, Freedom of Information Act.)

[63 FR 10503, Mar. 4, 1998]

### Subpart 915.3—Source Selection

#### 915.3 Source selection.

##### 915.305 Proposal evaluation. (DOE coverage—paragraph (d))

(d) Personnel from DOE, other Government agencies, consultants, and contractors, including those who manage or operate Government-owned facilities, may be used in the evaluation process as evaluators or advisors when their services are necessary and available. When personnel outside the Government, including those of contractors who operate or manage Government-owned facilities, are to be used as evaluators or advisors, approval and nondisclosure procedures as required by 48 CFR (DEAR) 915.207-70 shall be followed and a notice of the use of non-Federal evaluators shall be included in the solicitation. In all instances, such personnel will be required to comply with DOE conflict of interest and nondisclosure requirements.

[63 FR 10504, Mar. 4, 1998]

### Subpart 915.4—Solicitation and Receipt of Proposals and Quotations

#### 915.401 Applicability.

In addition to the exclusions included at FAR 15.401, FAR 15.4 is not applicable to Program Opportunity Notices (See 917.72), or Program Research and Development Announcements (See 917.73).

[49 FR 11955, Mar. 28, 1984, as amended at 62 FR 2312, Jan. 16, 1997]

#### 915.405-1 General.

Approval for the use of solicitations for information or planning purposes shall be obtained from the Head of the Contracting Activity.

[49 FR 11955, Mar. 28, 1984, as amended at 56 FR 41964, Aug. 26, 1991]

#### 915.413 Disclosure and use of information before award.

#### 915.413-2 Alternate II.

The procedures discussed at FAR 15.413-2 may be used if approved at a level above the contracting officer. See also 927.70.

### Subpart 915.5—Unsolicited Proposals

SOURCE: 61 FR 41705, Aug. 9, 1996, unless otherwise noted.

#### 915.502 Policy.

(a) Present and future needs demand the involvement of all resources in exploring alternative energy sources and technologies. To achieve this objective, it is DOE policy to encourage external sources of unique and innovative methods, approaches, and ideas by stressing submission of unsolicited proposals for government support. In furtherance of this policy and to ensure the integrity of the acquisition process through application of reasonable controls, the DOE:

(1) Disseminates information on areas of broad technical concern whose solutions are considered relevant to the accomplishment of DOE's assigned mission areas;

(2) Encourages potential proposers to consult with program personnel before